

**WALWORTH TOWN BOARD – REGULAR MEETING
4 SEPTEMBER 2014**

Presiding Supervisor Marini called the regularly scheduled Town Board Meeting, County of Wayne, State of New York, held at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY to order at 7:34 PM with the Pledge to the Flag.

<u>PRESENT:</u>	Patricia Marini	Supervisor
	Larry Ruth	Councilman
	Vaughn Pembroke	Councilman
	Suzi Hawkins-Mance	Councilwoman
	Judy Markowski	Councilwoman
	Michael Frederes	Highway Superintendent
	Susie Jacobs	Town Clerk

OTHERS PRESENT: Rob Burns, Sewer Superintendent; Jacqueline VanLare, Recreation Director; Brendan Bystrak, Labella Associates, P.C. Engineer for the Town; Town Newspaper Reporter, and one (1) attendee.

MINUTES:
Motion by Councilman Ruth that the Minutes of August 21, 2014 Regular Meeting be approved as submitted by the Town Clerk.
Seconded by Councilwoman Markowski.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Motion carried.

PUBLIC PARTICIPATION:
No one present offered any comments.

COMMITTEE REPORTS:
Council members reported on their respective committees with the following Town Board actions:

ASSESSMENT – Notification of Certified Assessor – Dennine Leeson
Motion by Councilwoman Markowski to accept and file the submitted following letter:
Seconded by Councilman Ruth.

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STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

Thomas H. Mattox
Commissioner of
Taxation and Finance

Educational Services
W. A. Harriman Campus
Albany, New York 12227
www.tax.ny.gov
orpts.edservices@tax.ny.gov
Telephone (518) 474-1764
FAX (518) 435-8628

Susan E. Savage
Assistant Deputy Commissioner for
Real Property Tax Services

September 03, 2014

Dennine Leeson
Appointed Assessor
Town of Walworth / SWIS: 544400
3600 Lorraine Drive
Walworth, NY 14568

Dear Ms. Leeson:

Congratulations! You have completed the requirements of the basic course of training for the designation of State Certified Assessor pursuant to the Real Property Tax Law and 20 NYCRR 8188.

Your certificate is enclosed. Please feel free to contact our office at (518) 474-1764 if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading 'Patricia L. Holland'.

Patricia L. Holland

Enclosures

cc: Town Clerk
County Director
Town Supervisor
Local Civil Service Commission

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Motion carried.

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OTHER BUSINESS:

RESOLUTION 173-14 ADOPTION OF THE “SUGGESTED CHANGES” FROM THE AUDIT RECOMMENDATIONS PERFORMED BY RAYMOND F WAGER, CPA PC:

Councilwoman Hawkins-Mance offered the following Resolution 173-14 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, the Town Board of the Town of Walworth entered into agreement with Raymond D. Wager, CPA, P.C. for Audit of Basic Financial Statements, Review of the Town Clerk, Review of the Receiver of Taxes, Review of Justice Accounts and Communicating Internal Control Related Matters Identified in an Audit for year ended December 31, 2013, and

WHEREAS, the following suggested changes have been compiled / submitted by the Town Comptroller, and:

To: Walworth Town Board

In the recent Financial Audit of the Town, the following corrective actions were recommended in the “Communicating Internal Control Related Matters Identified in an Audit” Report:

Billing:

It was noted the billing, collecting and reconciling are done by the same person for each of the following:

1. Highway Fuel
2. Parks and Recreation Program

Recommendation: A copy of all Highway Fuel Billings will be forwarded to the Comptroller’s Office.

This will allow the Comptroller to verify the amount when received.

The Parks and Recreation Program report is currently balanced by the Recreation Director. The

Report is then turned over to the Town Clerk’s Office for deposit. The Town Clerk’s Office will be signing off on the report after verification.

Payroll:

The same individual who completes and submits the payroll also has access to make payroll changes.

Recommendation: Change reports will be printed on a monthly basis from both the payroll system and

the time card system. These reports will be reviewed by the Supervisor.

Banking Procedures:

Implementation of a comprehensive written policies for online banking activities and electronic fund transactions.

Recommendation: Addition of a dual control feature to the online banking Wire Transfer Program has

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been added. Any Wire Transfer will now have to be reviewed and approved in the system by an authorized second party.

Computer Controls:

Vendor change reports are not independently reviewed on a periodic basis.

Recommendation: Since a change report is not available on our current software, a file will be set up with all vendor changes. Changes will be initialed by the person imputing change and the person reviewing change.

Disbursements:

Seven instances where a claim form was submitted for reimbursement and was approved by the claimant.

Recommendation: Claims submitted by Department Heads for reimbursements will be signed by the Department Head as well as the Supervisor/Comptroller after review.

Board Policies/Procedures:

A policy/procedure for the following:

- 1. Billing and Collection
- 2. Fixed Asset acquisition, deposal and capitalization

Recommendation: Billing and Collection has been reviewed and updated. A Fixed Asset Policy will be established.

Town Clerk’s Audit – No Findings
Justice Court – No Findings

Receiver of Taxes – As recommended the monthly bank statement is now being reviewed and signed by the Town Comptroller.

WHEREAS, the Town Board has reviewed the list of Audit Recommendations and Suggested Changes and desires to implement the procedures:

BE IT RESOLVED, Suggested Changes be effective immediately.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Walworth adopt Resolution

Adopted this 4th day of September, 2014 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

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**RESOLUTION 188-14 SUPPORTS THE PETITION FOR R.E.GINNA
NUCLEAR POWER PLANT TO INITIATE A PROCEEDING TO EXAMINE THE
PROPOSAL FOR THE CONTINUED OPERATION OF THE PLANT FOR
RELIABILITY PURPOSES AND THAT A COPY BE SENT TO THE
SECRETARY OF PUBLIC SERVICE COMMISSION:**

Councilwoman Hawkins-Mance offered the following Resolution 188-14 and moved its adoption. Seconded by Councilwoman Markowski to wit:
The following was submitted:

WHEREAS, R.E. Ginna Nuclear Power Plant has submitted a petition to initiate a proceeding to examine a proposal for the continued operation of the plant for reliability purposes under the State Administrative Procedure Act (SAPA) on July 30, 2014 – Case Number 14-E-0270; and

WHEREAS, comments on the proposal are due by September 15, 2014; and

WHEREAS, the Walworth Town Board supports the continued operation of the R.E. Ginna Nuclear Power Plant as a valued contributor to the economy of Wayne County; and

WHEREAS, R.E. Ginna Nuclear Power Plant employees 700 full time employees who reside in the area and brings an additional 800-1000 additional employees brought into the area during power outages which has a significant economic impact on the Walworth community and surrounding communities; and

WHEREAS, the continued operation of the plant provides grid reliability and clean energy for the area; and

WHEREAS, the possible financial loss if the plant were not to continue to operate would have a significant impact on Town and County revenues, including sales tax, property tax, state income tax and produce a unrecoverable financial loss to the Walworth community and surrounding communities; and

WHEREAS, R.E. Ginna is a large contributor to the communities in the area through their contributions to the United Way and other civic and community services in the area;

NOW, THEREFORE, BE IT RESOLVED, that the Walworth Town Board supports the petition to initiate a proceeding to examine the proposal for the continued operation of the plant for reliability purposes and that a copy of this Resolution be sent to:

Kathleen H. Burgess
Secretary, Public Service Commission
3 Empire State Plaza
Albany, New York 12223-1350

Adopted this 4th day of September, 2014 at the meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

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RECESS:

Supervisor Marini called for a short recess before the scheduled Public Hearing.
Time: 7:42 PM.

RECONVENE:

Supervisor Marini reconvened the regularly scheduled meeting.

**7:45 PM PUBLIC HEARING – ADOPTION OF PROPOSED LOCAL LAW NO. 4
2014 A LOCAL LAW AMENDING CHAPTER 139-6 SEWERS OF THE TOWN
OF WALWORTH MUNICIPAL CODE PART 1; ARTICLE I (A) AMOUNT AND
(D) ADDITIONAL CHARGES; EFFECTIVE JANUARY 1, 2015:**

Supervisor Marini gave instructions on the Public Hearing.

I Susie C. Jacobs, Town Clerk, certify that the notice of Public Hearing for Proposed Local Law No. 4 of the Year 2014 was duly published two (2) times in the Town’s official newspaper on August 24, 2014 and August 31, 2014, with the same dates being posted at the Town Hall & Town Website. Copies are available to the public.

Motion by Councilman Ruth to waive the reading of the Public Notice.
Seconded by Councilwoman Hawkins-Mance.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Motion carried.

Supervisor Marini declared the Public Hearing opened and asked if anyone present would like to speak in **FAVOR** or **AGAINST** Proposed Local Law No. 4 of the year 2014.

Time: 7:46 PM.

No one present wished to offer any comments.

Motion by Councilwoman Hawkins-Mance to close the Public Hearing.
Seconded by Councilman Pembroke.

Time: 7:47 PM.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Motion carried.

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**RESOLUTION 187-14 ADOPTION OF PROPOSED LOCAL LAW NO. 4 OF
THE YEAR 2014 AMENDING CHAPTER 139-6 SEWERS OF THE TOWN OF
WALWORTH MUNICIPAL CODE PART 1; ARTICLE I (A) AMOUNT AND (D)
ADDITIONAL CHARGES; EFFECTIVE JANUARY 1, 2015:**

Councilwoman Hawkins-Mance offered the following Resolution 187-14 and moved its adoption. Seconded by Councilman Ruth to wit:

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Walworth on the 21st day of August, calling for a Public Hearing to be held by the Town Board of the Town of Walworth on the 4th day of September, 2014, at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY, at 7:45 PM, to hear all interested parties on a proposed Local Law No. 4 Amending Chapter 139-6 in the Town of Walworth; and

WHEREAS, notice of the said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the Walworth Town Hall on the 4th day of September, 2014, at 7:45 PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any parts thereof; and

WHEREAS, the Town Board of the Town of Walworth, after due deliberation, finds it in the best interest of the Town to adopt said Local Law; and

BE IT RESOLVED, by the Town Board of the Town of Walworth, that the Town Board hereby adopts said Local Law No. 4-2014 to amending Chapter 139-6 SEWERS of the Town of Walworth Municipal Code Part 1; Article I (A) Amount and (D) Additional Charges; effective January 1, 2015.

BE IT ENACTED, the Town of Walworth, County of Wayne, New York, as follows:

ARTICLE I. Amending Chapter 139-6 of the Town of Walworth Municipal Code is hereby amended as follows:

That Part 1 of 139-6 entitled “Amount; collection; late and additional charges; notification of charges; responsibility of sewer district” is hereby amended to read as follows:

A. Amount. Each unit shall pay a minimum charge of **\$ 72.90** for each three-month period for sewer rent. In the event that the three months’ water consumption exceeds 16,000 gallons, then the unit shall also pay **\$4.55** for each additional 1,000 gallons or part thereof of water consumed as determined above during the three months covered by the water bill.

D. Additional Charges.

H. In addition to the charges provided herein, each user will be charged a flat fee of \$7.50 per quarter, for the purpose solely for maintenance / upgrades to the sewer facilities. Funds from this collection will be credited to an established Town Sewer Reserve account.

SECTION 2. **Effective 1st Day of January, 2015.**

BE IT FURTHER RESOLVED, that the Town Clerk of Walworth be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.

Adopted this 4th day of September, 2014 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

LOOKING AHEAD:

- NYS DEC on-site visit the week of September 15th for drainage issued on property Down Road.
- Employee picnic September 11, 2014.
- Free Rite-Aid Flu Shot Clinic on September 18, 2014 at the Library.
- Supervisor Marini is working with the Attorneys for the Town on a draft for a Security Camera Policy.
- SEQR training scheduled for September 30, 2014 at the Town Hall Meeting Room.

EXECUTIVE SESSION:

Motion by Councilwoman Hawkins-Mance to enter into executive session to discuss medical, financial, credit, or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension personnel and collective bargaining negotiations per Article 14 of Civil Service Law.

Seconded by Councilman Ruth.

Time: 7:49 PM.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Aye
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Motion carried.

RECONVENE:

Supervisor Marini reconvened the regularly scheduled meeting.

Time: 8:10 PM.

JUSTICE COURTS – RESOLUTION 189-14 AUTHORIZING THE TOWN SUPERVISOR TO MOVE FORWARD WITH A FEASIBILITY STUDY FOR EXPANSION OF THE JUSTICE COURT AREA AND AUTHORIZE THE TOWN COMPTROLLER TO RESEARCH, TRANSFER, AND EXPEND FUNDS FOR AN AMOUNT NOT TO EXCEED \$10,000.00:

Discussion ensued.

Councilman Ruth offered the following Resolution 189-14 and moved its adoption.

Seconded by Councilman Pembroke to wit:

RESOLVED, that the Town Supervisor is authorized to move forward with a feasibility study for the expansion of the Justice Court Area, and

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BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to research, transfer and expand funds for the feasibility study for an amount not to exceed \$10,000.00 from budget line to be determined between the Town Supervisor and Town Comptroller.

Adopted this 4th day of September, 2014 at a meeting of the Town Board.

Roll call vote:	Councilman Ruth	Aye
	Councilman Pembroke	Aye
	Councilwoman Hawkins-Mance	Nay
	Councilwoman Markowski	Aye
	Supervisor Marini	Aye

Resolution carried.

PROPOSED 2015 BUDGET DISCUSSIONS:

Supervisor Marini, Council members and Department Heads held a round table discussion regarding the Proposed 2015 Budget. Discussion ensued with no Town Board actions taken.

Time: 8:40 PM.

ADJOURNMENT:

Motion by Councilwoman Hawkins-Mance to adjourn.

Seconded by Councilman Ruth and unanimously carried.

Time: 10:15 PM.

Respectfully Submitted,

Susie C. Jacobs, MMC, RMC
Town Clerk